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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO.6470 OF 2005
IN
CRIMINAL APPEAL NO.____ OF 2005

The State of Maharashtra).. Applicant

Versus

Jaysing Narayan Kshirsagar).. Respondent

Mr.D.R. More, Additional Public Prosecutor, for the Applicant.

Mr.R.S.Kate for the Respondent.

CORAM : V.G.PALSHIKAR, Acg.C.J. & SMT. NISHITA MHATRE, J.

DATED : 8TH SEPTEMBER 2006

P.C.:

. This application for leave to appeal against the order of acquittal is directed against the order of acquittal recorded by the Appellate Court i.e. IIIrd Extra Joint District Judge and Additional Sessions Judge, Pune in Criminal Appeal No.23 of 2003 against the order of conviction passed by the trial Court i.e. Additional Chief Judicial Magistrate, Pune in Regular Case No.159 of 2002.

2. In this case, two competent Courts have considered the set of circumstances involved in the present case. One came to the conclusion of guilt and the other higher Court came to the conclusion of not guilty. In such circumstances, the benefit must go to the accused, who already stands acquitted. Hence, application for leave to appeal rejected.